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DEC 04 2007

OFFICE OF PETITIONS

In re Application of :
Michael Dennis Erinakes :
Application No. 10/629,663 : DECISION ON PETITION
Filed: July 28, 2003 :
Attorney Docket No. :
SLUSUN.00001

This is a decision on the petition under 37 CFR 1.137(b), filed May 21, 2007, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed August 30, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on December 1, 2005. A Notice of Abandonment was mailed on May 16, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$750, and (3) a proper statement of unintentional delay. Accordingly, the reply to the Office action of August 30, 2005 is accepted as being unintentionally delayed.

The application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This application is being referred to Technology Center AU 3753 for appropriate action in the normal course of business on the reply received May 21, 2007.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions

cc:

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